

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In re: Nathan J Weaver
Debtors

CHAPTER 13

BANKRUPTCY CASE NUMBER
22-10321 - AMC

U.S. Bank National Association, as Trustee,
successor in interest to Bank of America,
National Association, as Trustee, successor
by merger to LaSalle Bank National
Association, as Trustee for First Franklin
Mortgage Loan Trust 2007-3, Mortgage Pass-
Through Certificates, Series 2007-3,
Movant,
v.

Nathan J Weaver,
Respondent/Debtors,
and
Scott Waterman, Trustee,
Additional Respondent.

**OBJECTION OF U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR
IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION, AS TRUSTEE,
SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR FIRST FRANKLIN MORTGAGE LOAN TRUST 2007-3, MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES 2007-3 TO CONFIRMATION OF
DEBTOR'S CHAPTER 13 PLAN OF REORGANIZATION**

U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2007-3, Mortgage Pass-Through Certificates, Series 2007-3, by and through its counsel, LOGS Legal Group LLP, hereby objects to the confirmation of Debtor's Chapter 13 Plan, and in support thereof, avers as follows:

1. On or about February 10, 2022, Debtors filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code.
2. Movant holds an allowed claim, secured only by Debtor's principal residence located at 6004 Axe Handle Road, Quakertown, PA 18951.
3. On or about March 28, 2022, Movant filed a Proof of Claim citing arrears in the amount of \$67,130.81, and a total claim in the amount of \$244,723.97.

4. Debtor's proposed plan calls for the payment to Movant of arrearages in the amount of \$0.00 as they are alleging an attempt to enter into a loan modification agreement; however, if Debtor does not receive a loan modification, the proposed Plan will not be feasible.

5. Debtor is not guaranteed to be approved for a loan modification,

6. Debtor's proposed plan has a contingency paragraph stating Debtor will file an Amended Plan if the loan modification does not occur by December 31, 2022; however, based on his Amended Schedule I and J, any subsequent amended plan would not be sufficiently funded should the loan modification not occur.

7. The Plan is insufficiently funded to pay Movant its proposed arrearage claim or proposed total debt claim in full.

8. The Plan fails to comply with 11 U.S.C. § 1322.

9. The Plan fails to comply with 11 U.S.C. § 1325.

10. The Court must deny confirmation of Debtor's Chapter 13 Plan.

WHEREFORE, U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2007-3, Mortgage Pass-Through Certificates, Series 2007-3 respectfully requests that confirmation of the Debtor's Plan be denied, that Debtor's bankruptcy petition be dismissed with prejudice; and for such other relief as this Court deems appropriate.

Respectfully submitted,

Dated: August 29, 2022

By: /s/ Christopher A. DeNardo
Christopher A. DeNardo 78447
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LLG File #:17-056693

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EASTERN DISTRICT OF PENNSYLVANIA

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Debtors.

U.S. Bank National Association, as Trustee,
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CERTIFICATE OF SERVICE

I, Christopher A. DeNardo, an employee of the law firm of LOGS Legal Group LLP hereby certify that I caused to be served true and correct copies of U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2007-3, Mortgage Pass-Through Certificates, Series 2007-3's Objection to the Confirmation of Debtor's Chapter 13 Plan by First Class Mail, postage prepaid or by electronic notification, at the respective last known address or email address of each person set forth below on August 29, 2022:

Jeffrey C. McCullough, Esquire
Bond & McCullough
16 N. Franklin Street
Suite 300
Doylestown, PA 18901
Sent via electronic notification jeffmccullough@bondmccullough.com

Scott Waterman, Trustee
Chapter 13 Trustee
2901 St. Lawrence Avenue, Suite 100
Reading, PA 19606

Sent via electronic notification ecfmail@reecadingch13.com

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

/s/ Christopher A. DeNardo

Christopher A. DeNardo
LOGS Legal Group LLP
3600 Horizon Drive, Suite 150
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(610) 278-6800

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